

**GIBSON DUNN**

Gibson, Dunn &amp; Crutcher LLP

200 Park Avenue  
New York, NY 10166-0193  
Tel 212.351.4000  
www.gibsondunn.comBrian M. Lutz  
Direct: +1 415.393.8379  
Fax: +1 415.374.8474  
BLutz@gibsondunn.com

July 30, 2020

VIA ECF

The Honorable Ramon E. Reyes, Jr.  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East, Rm. N208  
Brooklyn, New York 11201

Re: *In re Rockwell Medical, Inc. Stockholder Derivative Litigation*, Lead Case No. 1:19-cv-02373-ARR-RER (Consolidated with Case no. 1:19-cv-02774-ARR-RER)

Dear Judge Reyes:

We represent defendant Rockwell Medical, Inc. (“Rockwell” or the “Company”), as well as certain individual defendants, in the above-referenced consolidated derivative lawsuit. Pursuant to this Court’s order preliminarily approving the derivative settlement and providing for notice (ECF No. 40) (the “Preliminary Approval Order”), Rockwell respectfully submits the attached Declaration of Jennifer M. Keough Regarding Notice of Administration (the “Keough Declaration”) and the attached Declaration of Paul E. McGarry Regarding Notice of Proposed Derivative Litigation Settlement (the “McGarry Declaration”).

In the Preliminary Approval Order, the Court preliminarily approved the issuance of the Notice of Pendency and Proposed Settlement of Derivative Action (the “Notice”), and the Preliminary Approval Order directed Rockwell to “make a good faith effort to provide notice to Rockwell’s stockholders” in the following manner: (i) filing of the Notice and stipulation and agreement of settlement (the “Stipulation”) with the Securities and Exchange Commission (the “SEC”) in a Form 8-K or other appropriate filing; (ii) publishing of the summary form of the Notice (the “Summary Notice”) once in *Investor’s Business Daily*; and (iii) including the Notice on an Internet page that Rockwell shall create for this purpose, which shall be accessible via a link on the “Investors” page of the Company’s website, the address of which shall be contained in the Notice and Summary Notice.

To aid in the issuance of Notice, Rockwell engaged JND Legal Administration, LLC (“JND”). As reflected in the Keough Declaration, JND, on behalf of Rockwell, (i) established on June 18, 2020 an Internet page related to the Notice and Stipulation (the “Settlement Website”), the address of which is contained in the Notice and Summary Notice; (ii) caused the Summary Notice to appear in *Investor’s Business Daily* on June 22, 2020; and (iii) updated the Settlement Website on July 15, 2020 to reflect this Court’s rescheduling of the Settlement Hearing from August 11, 2020 to August 10, 2020.

GIBSON DUNN

July 30, 2020

Page 2

In addition, as reflected in the McGarry Declaration, Rockwell (i) filed a Form 8-K with the SEC on June 19, 2020, which attached the Notice (directing readers to the Settlement Website); (ii) caused on June 19, 2020 a link to the Settlement Website to be posted to the Investor page of the Rockwell website; (iii), after this Court re-scheduled the Settlement Hearing date from August 11, 2020 to August 10, 2020, Rockwell filed an Amended Form 8-K on July 22, 2020, disclosing that this Court re-scheduled the Settlement Hearing, providing the updated date of the Settlement Hearing, and directing readers to the Settlement Website; and (iv) caused on July 22, 2020 an additional link to the Settlement Website to be posted to the Investor page of the Rockwell website, which noted that the Settlement Hearing had been rescheduled.

Based on the following actions taken to fulfill the notice directed by this Court, and as further detailed in the accompanying Declarations, Rockwell affirms that it has caused notice to Rockwell stockholders to be completed sufficiently and substantially in the manner described in the Preliminary Approval Order.

Respectfully submitted,

*/s/ Brian M. Lutz*

Attachments

cc: All Counsel of Record (via ECF)